

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of AMIE DEBORAH-LYNN  
WILSON, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHERRY ANN WILSON,

Respondent-Appellant.

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UNPUBLISHED

August 9, 2005

No. 260192

Wayne Circuit Court

Family Division

LC No. 03-418078-NA

Before: White, P.J., and Jansen and Wilder, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the circuit court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(j). We affirm.

The circuit court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Although respondent-appellant appeared to have improved her personal well-being, the record strongly supported that respondent-appellant's twenty-year history of drug use and ongoing treatment therefor, her own physical problems and medications, and her at times unstable and erratic behavior rendered her unable to provide the intensive, round-the-clock care Amie requires for subsistence. It is clear from the circuit court's opinion that it considered the evidence and the demeanor and credibility of the witnesses in determining that the statutory basis for termination had been satisfied. The circuit court did not clearly err in determining that respondent-appellant lacked the capacity to be able to care for this special-needs child, and that there was a reasonable likelihood the child would be harmed if returned to respondent-appellant.

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The circuit court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Helene N. White

/s/ Kathleen Jansen

/s/ Kurtis T. Wilder